

Message Text

PAGE 01 STATE 184127

61

ORIGIN EUR-12

INFO OCT-01 ISO-00 SSO-00 NSCE-00 USIE-00 INRE-00 CIAE-00

PM-03 H-02 INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01

SP-02 SS-15 AID-05 EB-07 IO-10 OPR-02 OMB-01 TRSE-00

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DRAFTED BY EUR/SE - HEKIRBY/AD

APPROVED BY EUR - MR. LAINGEN

DOD/ISA - MR. BARRINGER

DOD/GC - MR. ALLEN

L - MR. GUDGEON

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FM SECSTATE WASHDC

TO AMEMBASSY ANKARA NIACT IMMEDIATE

INFO SECDEF IMMEDIATE

EUCOM IMMEDIATE

CINCUSAFE IMMEDIATE

S E C R E T STATE 184127

E.O. 11652:GDS

TAGS: PFOR, MARR, MOPS, TU

SUBJECT: AIRCRAFT LANDING AND PARKING FEES

REF: A. ANKARA 5997; B. STATE 183044; C. ANKARA 6029

DELIVER AT OPENING OF BUSINESS

1. WE BELIEVE THAT U.S. LEGAL AND NEGOTIATING POSITIONS CAN
BEST BE MAINTAINED BY APPROACH OUTLINED PARAS 4B AND 5 OF
REF A, BUT WITHOUT MAKING ANY FURTHER SPECIFIC REFERENCE TO
1954 TAX RELIEF AGREEMENT AT THIS TIME (SEE PARA 5 BELOW).
WE MUST RECOGNIZE, HOWEVER, THAT IF, CONTRARY TO PRESENT
SECRET

PAGE 02 STATE 184127

EXPECTATIONS, GOT SHOULD INSIST ON EARLY PAYMENT OF SIGNED
CHITS, WE WOULD BE MORALLY OBLIGATED TO DO SO. STALLING
BEYOND LIMITS OF TURKISH TOLERANCE WOULD RISK UNACCEPTABLE
DAMAGE TO AMBIANCE SURROUNDING FORTHCOMING NEGOTIATIONS ON

THIS AND RELATED ISSUES. ONCE THE TURKS DEMAND PAYMENT, WE SHALL PROBABLY HAVE TO FOLLOW PROCEDURE OUTLINED PARA 4C OF REF A.

2. FROM REF C WE ARE UNCERTAIN WHETHER ESENBGA MANAGER WILL BE SATISFIED WITH CHIT PROMISING TO PAY. YOU SHOULD TRY CHIT ROUTE AND IF IT PROVES UNACCEPTABLE, COMMANDER OF AIRCRAFT SHOULD MAKE PAYMENT, NOTING ON TURKISH AND US

COPIES OF RECEIPT (OR OTHER APPROPRIATE RELATED FORM) THAT PAYMENT IS BEING MADE UNDER PROTEST FOR EMERGENCY OPERATIONAL REASONS. LETTER REQUESTED BY ESENBGA MANAGER SHOULD NOT BE PRESENTED AT THIS TIME UNLESS IT IS ONLY WAY TO OBTAIN TAKE-OFF CLEARANCE. IF LETTER PROVES NECESSARY, THEN WE ARE, IN EFFECT, FORCED INTO APPROACH OUTLINED PARA 4C OF REF A, AND EMBASSY SHOULD FOLLOW THROUGH WITH MFA ACCORDINGLY.

3. CHITS SIGNED BY AIRCRAFT COMMANDERS AND ANY DOCUMENTS PROVIDED GOT BY TUSLOG OR EMBASSY SHOULD CONTAIN FOLLOWING STATEMENT: "THIS DOCUMENT IS EXECUTED WITHOUT PREJUDICE TO U.S. LEGAL RIGHTS."

4. WE BELIEVE THAT U.S. LEGAL AND NEGOTIATING POSITIONS WILL BE BEST SAFEGUARDED IF BETWEEN NOW AND TIME SUBSTANTIVE NEGOTIATIONS BEGIN, U.S. MILITARY LANDINGS AT TURKISH CIVILIAN AIRPORTS ARE HELD TO ABSOLUTE MINIMUM CONSISTENT WITH BASIC HUMANITARIAN AND OPERATIONAL NECESSITIES.

5. SINCE 1954 TAX RELIEF AGREEMENT DOES NOT SPECIFICALLY COVER LANDING FEES AND PARKING CHARGES, WE NEED TO KNOW EXTENT TO WHICH U.S. HAS HERETOFORE BEEN EXEMPT FROM SUCH FEES AND CHARGES, AND ON WHAT BASIS. WOULD APPRECIATE INFORMATION ON THIS POINT IN ORDER TO DEVELOP U.S. POSITION FOR LATER NEGOTIATIONS, SINCE OUR CASE MUST APPARENTLY REST ON "PROCEDURES" DEVELOPED LOCALLY UNDER PARA 8 OF 1954 AGREEMENT. FOR INSTANCE, DO TURKS REGARD THESE FEES
SECRET

PAGE 03 STATE 184127

AS GENERAL REVENUE RAISING MEASURE AS DISTINGUISHED FROM USER CHARGES FOR SPECIFIC SERVICES RENDERED?
(THE APPLICABILITY OF PARA 2-I(EYE) OF 1954 TAX RELIEF AGREEMENT IS NOT CLEAR TO DEPARTMENT AND DOD.) INGERSOLL

SECRET

<< END OF DOCUMENT >>

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